



Atty. Docket No.: 31981-6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor Application of:)	Group Art Unit:	2611
Tony VERNA)		
Serial No.:)	Examiner:	Not Assigned
10/759,395)		
Filed:)	Confirmation No.:	6708
January 20, 2004)		
For:)		
SYSTEMS, DEVICES AND)		
METHODS FOR REVIEWING)		
SELECTED SIGNAL SEGMENTS)		

San Diego, California
November 22, 2004

Mail Stop: MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION FILED UNDER 37 C.F.R. §1.53(b)**

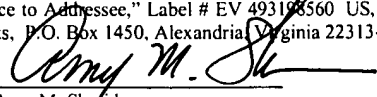
Dear Sir or Madam:

In response to the Notice to File Missing Parts of Non-provisional Application filed under 37 C.F.R. §1.53(b), mailed April 22, 2004, the following items are enclosed for consideration. The deadline for filing a response to the Notice to File Missing Parts has been extended by the enclosed Petition for Extension of Time until November 22, 2004.

CERTIFICATE EXPRESS OF MAILING

I hereby certify that this correspondence and anything being referred to as enclosed herein is being deposited with the United States Postal Service via Express Mail "Post Office to Addressee," Label # EV 493198560 US, with sufficient postage in an envelope addressed to Mail Stop: MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 22nd day of November, 2004.

Signature:


Amy M. Sheridan

1. Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. §1.53(b);
2. Combined Declaration for Patent Application and Power of Attorney;
3. Check No. 159577 in the amount of \$65.00 for the late fee declaration surcharge (Small Entity);
4. Check No. 159576 in the amount of \$483.00 for the basic filing fee (Small Entity) for twenty (20) total claims, five (5) independent claims – the number of claims reduced via the accompanying Preliminary Amendment;
5. Preliminary Amendment;
6. Check No. 159575 in the amount of \$1040.00 for the Petition for Five (5) Month Extension of Time (Small Entity); and,
7. Return-receipt postcard.

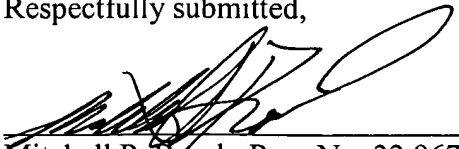
Applicant claims small entity status. The undersigned is an attorney for the licensee of the above-referenced patent application and is informed and believes submitting this filing is with authorization of the Applicant Assignee.

The Commissioner is authorized to charge any additional fee required, or credit any overpayment, to our Deposit Account No. 50-2298, in the name of Luce, Forward, Hamilton & Scripps LLP.

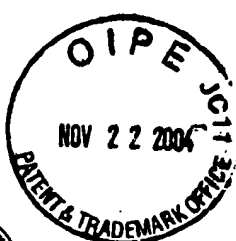
Respectfully submitted,

Date

11/22/04



Mitchell P. Brook, Reg. No. 32,967
c/o LUCE, FORWARD, HAMILTON
& SCRIPPS LLP
11988 El Camino Real, Suite 200
San Diego, California 92130
Telephone No.: (858) 720-6300



11-24-04

Page 1 of 2



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/759,395	01/20/2004	Tony Verna	025759.302-US01

CONFIRMATION NO. 6708

26853
COVINGTON & BURLING
ATTN: PATENT DOCKETING
1201 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20004-2401

FORMALITIES LETTER



OC000000012425456

Date Mailed: 04/22/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/26/2004 HALI11 00000005 10759395

FILED UNDER 37 CFR 1.53(b)

01 FC:2001 395.00 OP
02 FC:2201 88.00 OP
03 FC:2051 65.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$4906 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$5806 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

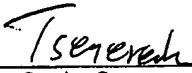
BEST AVAILABLE COPY

- Total additional claim fee(s) for this application is **\$4906**

- **\$172** for 2 independent claims over 3.
- **\$4734** for 263 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY



Atty. Docket No.: 31981-6

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Application of:)	Group Art Unit:	2611
Tony VERNA)		
Serial No.:)	Examiner:	Not Assigned
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SYSTEMS, DEVICES AND)		
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San Diego, California
November 22, 2004

Mail Stop: MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF EXPRESS MAILING

Dear Sir:

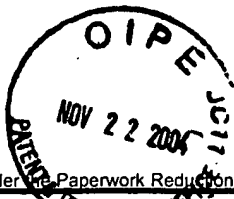
"Express Mail" mailing label No. EV 493198560 US

Date of Deposit: November 22, 2004

I hereby certify that the enclosed Response to Notice to File Missing Parts, including Fee Transmittal for FY 2005 (in duplicate), Response to Notice to File Missing Parts, including Statement of Entitlement to Small Entity Status (37 CFR 1.27(c)); copy of Notice to File Missing Parts; copy of executed Declaration/Oath; Check No. 159577 in the amount of \$65.00 for the late Oath surcharge (Small Entity); Check No. 159576 in the amount of \$483.00 for the statutory Utility filing fee and two (2) independent claims (Small Entity); Form PTO/SB/22, Petition for Extension of Time under 37 CFR 1.136(a); Check No. 159575 in the amount of \$1,040.00 for a five (5) Month Extension (Small Entity); Preliminary Amendment; and return-receipt postcard are being deposited with the U.S. Postal Service "Express Mail Post Office to the Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to Mail Stop: MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Nov. 22, 2004
Date

Amy M. Sheridan
Amy M. Sheridan



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$1,588.00

Complete if Known

Application Number	10/759,395
Filing Date	January 20, 2004
First Named Inventor	Tony VERNA
Examiner Name	Not Assigned
Art Unit	2611
Attorney Docket No.	31981-6

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 50-2298
Deposit Account Name: Luce, Forward, Hamilton & Scripps LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	395.00
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 395.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below	Fee Paid
Total Claims	2	-20** =	0	x	=0.00
Independent Claims	5	-3** =	2	x	=88.00
Multiple Dependent					=0.00

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) 88.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	65.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	1040.00
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1,105.00

SUBMITTED BY

Name (Print/Type)	Mitchell P. Brook	Registration No. (Attorney/Agent)	32,967	Telephone	(858) 720-6300
Signature		Date	November 22, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.